

"Express Mail" Label No. EV 54377793 US  
Date of Deposit April 3, 2006

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

By: 

Aaron Hokamura

PATENT  
Attorney Docket No.: 082368-003000US  
Client Reference No.: ONC-A0209P-US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

NAKAMURA and FURUKAWA

Application No.: 10/526,326

Filed: August 19, 2003

For: METHOD OF DIAGNOSING  
COLON AND GASTRIC CANCERS

Examiner:

Art Unit:

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

he references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of references AB-AH are enclosed. A copy of U.S. Patent Application Publication AA is not enclosed in compliance with the requirements of 37 CFR §1.98(a)(2). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.


References AA-AH were cited in an International Search Report issued in a corresponding application. A copy of the Search Report is enclosed.

Reference AC is not in the English language. Reference AC was cited as a "Y" document on the International Search Report issued in corresponding PCT application no. PCT/JP03/10436.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

  
Kevin Bastian  
Reg. No. 34,774

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 415-576-0200  
Fax: 415-576-0300  
KLB:ath  
60739499 v1

Substitute for form 1449A&B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/526,326
				Int'l Filing Date	August 19, 2003
				First Named Inventor	Nakamura, Yusuke
				Art Unit	
				Examiner Name	
Sheet	1	of	1	Attorney Docket Number	082368-003000US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	2002/0086296 A1	07-04-2002	Meyers	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	AB	WO	02/18565	A2/A3	03-07-2002	Bayer Aktiengesellschaft		<input type="checkbox"/>
	AC	WO	02/42777	A2/A3	05-30-2002	Aventis Pharma Deutschland GMBH; and Vasopharm Biotech GMBH		<input type="checkbox"/>
	AD	WO	02/097074	A2/A3	12-05-2002	Bayer Aktiengesellschaft		<input type="checkbox"/>

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup>
	AE	IIZAKA, Masayoshi <i>et al.</i> , "Expression profile analysis of colon cancer cells in response to sulindac or aspirin"; <u>Biochemical and Biophysical Research Communications</u> 292:498-512 (2002)			<input type="checkbox"/>
	AF	KITAHARA, Osamu <i>et al.</i> ; "Alterations of gene expression during colorectal carcinogenesis revealed by cDNA microarrays after laser-capture microdissection of tumor tissues and normal epithelia"; <u>Cancer Research</u> 61:3544-3549 (May 1, 2001)			<input type="checkbox"/>
	AG	LIN, Yu-Min <i>et al.</i> ; "Molecular diagnosis of colorectal tumors by expression profiles of 50 genes expressed differentially in adenomas and carcinomas"; <u>Oncogene</u> 21:4120-4128 (June 13, 2002)			<input type="checkbox"/>
	AH	ZEMBUTSU, Hitoshi <i>et al.</i> ; "Genome-wide cDNA microarray screening to correlate gene expression profiles with sensitivity of 85 human cancer xenografts to anticancer drugs"; <u>Cancer Research</u> 62:518-527 (January 15, 2002)			<input type="checkbox"/>

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.